UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,025	05/15/2001	Kevin Collins	10006733-1	2472

7590 10/13/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
VU, THONG H

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/858,025	COLLINS, KEVIN
Office Action Summary	Examiner	Art Unit	
	Thong H. Vu	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 September 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   Claims 1-22 are pending.

Response to Arguments

2.   Applicant's arguments filed 9/22/05 have been fully considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-12,15-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by

Lewallen [6,854,123 B1].

4.   As per claim 1, Lewallen discloses a method for centrally managing a plurality of

devices on a network, comprising:

determining whether a device interface for each of said plurality of devices

conforms with a standard interface [Lewallen, determine whether a source code

statement in an application program is a member of standard API, abstract];

translating said device interface to conform with said standard interface when

said device interface is nonconforming [Lewallen, convert the source code statement to

the native API, abstract]; and

managing said plurality of devices according to said standard interface [Lewallen,

control the user interfaces that manipulate the nodes, col 5 lines 1-12;col 10 lines 1-10;

a file server, col 11 lines 5-22].

5.   As per claim 2, Lewallen discloses discovering said plurality of devices on said

network [Lewallen, event listeners, col 10 lines 29-50].

6.   As per claim 3, Lewallen discloses a) obtaining network data for said plurality of

devices; and b) identifying said plurality of devices on said network based on said

obtained network data [Lewallen, API mapping, object mapping, Fig 1].

7.   As per claim 4, Lewallen discloses managing said plurality of devices comprises

monitoring said plurality of devices for an event [Lewallen, event listeners, col 10 lines

29-50].

8.   As per claim 5, Lewallen discloses monitoring said plurality of devices for an

event comprises: a) receiving a device trap representing said event from at least one of

said plurality of devices; and b) notifying an administrator of said event in response to

receiving said device trap as inherent features of event listeners.

9.   As per claim 6, Lewallen discloses obtaining attributes for at least one of said

plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

10.   As per claim 7, Lewallen discloses changing said attributes for said at least one

device [Lewallen, attributes of element, col 9 lines 25-52].

11.   As per claim 8, Lewallen discloses reading said nonconforming device interface

[Lewallen, non Java standard API, col 4 lines 65].

12.   Claim 9 contains the similar limitations set forth of claim 1. Therefore, claim 1 is

rejected for the similar rationale set forth in claim 1.

13.   As per claim 10, Lewallen discloses said program code for managing is

embodied at least in part in a network management application [Lewallen, program for

manipulate objects, col 4 lines 1-16].

14.   As per claim 11, Lewallen discloses program code for discovering said plurality of

devices on said network [Lewallen, program for manipulate objects, col 4 lines 1-16].

15.   As per claim 12, Lewallen discloses a graphical user interface (GUI) for user

management of said plurality of devices [Lewallen, program for manipulate objects, col

4 lines 1-16].

16. As per claim 15, Lewallen discloses program code for obtaining attributes for at least one of said plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

17. As per claim 16, Lewallen discloses said attributes include at least an indicator of the health of said at least one of said plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

18. As per claim 17, Lewallen discloses program code for changing at least one attribute of said at least one of said plurality of devices [Lewallen, attributes of element, col 9 lines 25-52].

19. As per claim 18, Lewallen discloses program code for reading said nonconforming device interface; and program code for cross-referencing at least part of said nonconforming device interface with said standard interface based on said translation library [Lewallen Java database, col 9 lines 2].

20. Claims 19-22 contain the similar limitations set forth of claims 1,4,6 and 8 respectively. Therefore, claims 19-22 are rejected for the similar rationale set forth in claims 1,4,6 and 8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewallen [6,854,123 B1] in view of Krishnamurthy et al [Krishnamurthy, 6,389,464 B1].

21.   As per claim 13, Lewallen discloses the control receiving a language statement in one mixed statement program [Lewallen, col 7 lines 20-48, Fig 3A-B].

However Lewallen does not detail "program code for receiving a device **trap** from at least one of said plurality of devices".

In the same endeavor, Krishnamurthy discloses a device management system for managing standard compliant and non-compliant network elements using trap [Krishnamurthy, trap, Fig 20, col 13 lines 17-50]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the device trap as taught by Krishnamurthy into the Lewallen's apparatus in order to utilize the statement node. Doing so would provide the detail information of the network devices to the control program code which improve the network management .

22.   As per claim 14, Lewallen-Krishanmurthy disclose program code for notifying an administrator when a device **trap** is received from at least one of said plurality of devices [Krishnamurthy, trap, Fig 20, col 13 lines 17-50].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone plurality is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax plurality for the organization where this application or proceeding is assigned is 571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142